Google Inc. et al v. Egger et al Doc. 246

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UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

IN RE NATIONAL SECURITY AGENCY TELECOMMUNICATIONS RECORDS LITIGATION, MDL No. 1791 This Document Relates To: ALL CASES	MDL Docket No 06-1791 VRW **CLASS ACTION** **[PROPOSED] ORDER RE GOVERNMENT *EX PARTE, IN CAMERA* FILINGS** Courtroom: 6, 17th Floor Judge: The Hon. Vaughn R. Walker

Dockets.Justia.com

Having considered the Administrative Motion of Plaintiffs and any Opposition filed by the government:

IT IS HEREBY ORDERED that for Docket 249, and any future *ex parte, in camera* filings by the government in this MDL proceeding, the government shall proceed as follows:

1. If the filing is not in response to an order of the Court authorizing the filing and not otherwise authorized by the federal or local rules, the government shall make a public motion for leave to file the information. In its motion, the government shall demonstrate, first, good cause for the government to make a filing, public or secret, that is not otherwise authorized by the federal or local rules, and, second, good cause why the filing should be made *ex parte, in camera* rather than in the public docket.

2. If the filing is in response to an order of the court authorizing the filing or is otherwise authorized by the federal or local rules, the government shall make a public motion along with any ex parte, in camera filing demonstrating good cause why the filing should be made *ex parte, in camera* rather than in the public docket.

3. In either case, the public motion shall include descriptions of the information filed *ex parte, in camera* specific enough to identify the basis of the particular claim or claims of privilege, including, at a minimum:

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a. The privilege asserted;

b. Categories of information in the *ex parte, in camera* filing covered by the privilege, and

c. Either an explanation of why the non-disclosed information is sensitive to the national security, or an indication of why such an explanation would itself endanger national security.

DATED: April 13, 2007

By ______________________________
Honorable Vaugh R. Walker

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CERTIFICATE OF SERVICE

I hereby certify that on April 13, 2007, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail addresses denoted on the attached Electronic Mail Notice List.

By /s/

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